

JUDGE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALBEL ANTONIO REYES-MORENO,
SAVIER ARGENIS ROJAS-DURAN,

Defendant.

No. CR19-116-JLR

~~(PROPOSED)~~ ORDER GRANTING
AGREED MOTION TO CONTINUE
TRIAL AND PRETRIAL MOTIONS
DEADLINE

THE COURT has considered the agreed motion of the parties to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

(d) the case is sufficiently complex involving an alleged international drug-trafficking conspiracy investigated by law enforcement agencies in several jurisdictions, and one of the defendants need an interpreter to assist in communicating

1 with his counsel and review discovery materials, that it is unreasonable to expect
2 adequate preparation for pretrial proceedings or the trial itself within the current trial
3 schedule, as set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

4 (e) the ends of justice will best be served by a continuance, and the ends of
5 justice outweigh the best interests of the public and the defendant in any speedier trial,
6 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

7 (f) the additional time requested between the current trial date of August 26,
8 2019 and the new trial date is necessary to provide counsel for the defendant the
9 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
10 the facts set forth above; and

11 (g) the period of delay from the date of this order to the new trial date is
12 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

13 IT IS THEREFORE ORDERED that the trial date in this matter shall be
14 continued to January 21, 2020, and that pretrial motions shall be filed no later than
15 December ^{9th} ~~16~~, 2019. *JLR*

16 DONE this 22nd day of July, 2019.

17 
18 JAMES L. ROBART
19 UNITED STATES DISTRICT JUDGE
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21 Presented by:

22 s/ *Dennis Carroll*
23 Assistant Federal Public Defender
24 Attorney for Walbel Antonio Reyes-Moreno

25 s/ *Nicholas Marchi*
26 Attorney for Xavier Argenis Rojas-Duran